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INTELLECTUAL PROPERTY LAW

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Message: Re: Application 10/826,941
Filing Date: April 17, 2004
First Named: Charles D. Kim
Group Art Unit: 2859
Attorney Docket Number: EMP-140US

Please deliver this communication to
Examiner YARITZA GUADALUPE, Group
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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/826,941
	Filing Date	April 17, 2004
	First Named Inventor	Charles D. Kim
	Art Unit	2859
	Examiner Name	Yaritza Guadalupe
Total Number of Pages in This Submission	Attorney Docket Number	EMP-140US


ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Amendment Transmittal Letter Certificate of Facsimile Mailing
Remarks		

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Firm Name	Jansson, Shupe, Munger & Antaramian, Ltd.		
Signature			
Printed name	Richard W. White		
Date	November 10, 2005	Reg. No.	50,601

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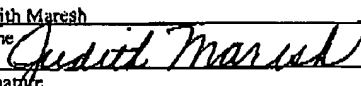
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Signature			
Typed or printed name	Judith March	Date	November 10, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. EMP-140US	
Applicant(s): Charles D. Kim					
Application No. 10/826,941	Filing Date April 17, 2004	Examiner Yaritza Guadalupe	Customer No. 24314	Group Art Unit 2859	Confirmation No. 1621
Invention: STRUCTURE AND METHOD FOR HOLDING AND PROTECTING VIALS IN LEVELS					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	19	20	0	x \$25.00	\$0.00
INDEP. CLAIMS	4	3	1	x \$100.00	\$100.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$100.00
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 10-0270 in the amount of \$100.00 <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 10-0270 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: November 10, 2005		
Richard W. White, Reg. No. 50,601 Jansson, Shupe, Munger & Antaramian, Ltd. 245 Main Street Racine, WI 53403			CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below: Judith Marsh Name  Signature Date 11/10/05		
cc:					

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Charles D. Kim

Serial No. 10/826,941

Filed: April 17, 2004

Title: STRUCTURE AND METHOD FOR
HOLDING AND PROTECTING VIALS
IN LEVELS)
)
)
)
) Group Art Unit: 2859
)
) Examiner: Yaritza Guadalupe
)
)
)Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450AMENDMENT AND RESPONSE

Sir:

INTRODUCTORY COMMENTS

Applicant responds to the Office Action mailed on August 11, 2005. Please reconsider the application in view of the amendment and the remarks that follow. Applicant believes that entry of the amendment below and reconsideration of the application are appropriate under 37 CFR §1.116.

Please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 6 of this paper.

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